

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

TERRY MEINHOLDT,

Plaintiff,

v.

**HARTFORD INSURANCE
COMPANY OF THE MIDWEST,**

Defendant.

2017 JUN 13 P 2:09

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Civil Case No.: 3:17-cv-383

COMPLAINT

COMES NOW the Plaintiff, by and through undersigned counsel and complains of the Defendant as follows:

Parties, Jurisdiction, and Venue

1. The Plaintiff, Terry Meinholdt, is over the age of nineteen (19) years and a resident citizen of the State of Wisconsin.

2. The Defendant, Hartford Insurance Company of the Midwest (hereinafter "Hartford"), is a Connecticut corporation engaged in the business of providing insurance in the State of Alabama.

3. The Plaintiff's employer, Alfa Laval, Inc., and the Defendant entered into a contract providing underinsured motorist insurance coverage to Alfa Laval,

Inc., thereby providing said coverage to the Plaintiff, who was operating a vehicle owned by his employer.

4. All events giving rise to this cause of action occurred wholly in Lee County, Alabama.

5. The amount in controversy exceeds seventy-five thousand dollars (\$75,000.00). Furthermore, complete diversity of citizenship exists between Plaintiff and Defendant.

6. Jurisdiction and venue are properly vested with this Honorable Court pursuant to 28 U.S. Code § 1332 (Diversity of Citizenship) and 28 U.S. Code §1391(b) (1) (Venue).

COUNT I

Underinsured Motorist Benefits

7. Plaintiff avers that on December 7, 2012, on a public highway, to wit: Interstate 85 at the intersection of South College Street and Cox Road in Lee County, Alabama, the tortfeasor, Christina Fox, negligently or wantonly permitted, allowed or caused a motor vehicle to collide with the vehicle occupied by Terry Meinholdt.

8. As a direct or proximate consequence of the negligence or wantonness of the tortfeasor, the Plaintiff, Terry Meinholdt, was caused to suffer the following injuries and damages:

(a) he was caused to suffer physical pain and mental anguish;

(b) he was caused to seek medical treatment and was prevented from going about his normal activities;

(c) he was permanently injured;

(d) he was caused to incur medical expenses to treat and cure his injuries;

(e) he was caused to lose wages both past and future; and

(f) he was caused to be injured and damaged; all to his detriment.

9. Plaintiff avers that the negligence or wanton conduct of the tortfeasor directly or proximately caused the Plaintiff's injuries as herein above alleged.

10. Plaintiff has charged the tortfeasor, Christina Fox, with negligent or wanton operation of a motor vehicle.

11. Plaintiff avers that at the time of the occurrence made the basis of this lawsuit, there was in full force and effect a policy of automobile insurance issued by the Defendant, Hartford, which provided underinsured motorist coverage to Plaintiff's employer, Alfa Laval, Inc.

12. Plaintiff avers that at the time of the occurrence made the basis of this lawsuit, Plaintiff was operating a vehicle owned by Alfa Laval, Inc. and insured by Hartford.

13. Plaintiff further avers that the tortfeasor, Christina Fox, is an underinsured motorist, and the Plaintiff is entitled to recover against Hartford, up to

the extent of their coverage, those damages which he may recover in excess of the insurance provided Christina Fox.

WHEREFORE, Plaintiff hereby demands judgment against the Defendant for those damages sustained by the Plaintiff, up to the amount of insurance provided by the Defendant for underinsured motorist coverage.

PLAINTIFF DEMANDS A TRIAL BY STRUCK JURY.



Kenneth E. Riley (ASB-9731-171k)
Attorney for Plaintiff

OF COUNSEL:

FARRIS, RILEY & PITT, LLP

The Financial Center
505 20th Street N, Suite 1700
Birmingham, Alabama 35203
Tel: (205) 324-1212
Fax: (205) 324-1255
kriley@frplegal.com

SERVE DEFENDANT BY CERTIFIED MAIL:

**Hartford Insurance Company of the Midwest
c/o C T Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104**